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CHAPTER TEN

QUALITY ASSURANCE AND QUALITY CONTROL

10-1 PURPOSE AND OBJECTIVES

10-1.01 Purpose

All right of way personnel, at every level and function, share a responsibility to strive for and maintain a high standard of work quality. Quality is as much a concern to project level professionals, and support staff, as it is to administrators. It is the purpose of this chapter to define a comprehensive and integrated program for incorporating awareness and achievement of quality into the work activities of all right of way staff.

The quality assurance/quality control (QA/QC) process is based on the following concepts:

1. Quality is a responsibility of each individual employee and not solely a management responsibility.
2. Quality is continuous process, not an intermittent concern to address deficiencies that surface. Quality is proactive, not reactive. Quality is a journey, rather than a destination.
3. Quality is specific, not an ambiguous concept. Quality is reflected in criteria and standards of performance and accomplishment.
4. Quality is customer oriented. The right of way process has a diverse set of customers, including property owners, displaces, and the MDOT units that use or depend on the completion of right of way services. Thus each right of way function must identify its customers and define quality performance in relation to their needs.

10-1.02 Quality Defined

Quality in right of way is the consistent high level of work performance of each employee, and the project team as a group as it relates to customer needs. Following are the essential elements of right of way work quality:

1. Level of Service. Quality in delivering right of way requires a high level of knowledge of the body of laws, regulations and procedures that control right of way acquisition, and skill in performing specific functions (e.g., appraisal, relocation). The skills, knowledge and abilities of right of way personnel are critical to delivering a high level of service.
2. Timeliness. The right of way process is responsible for delivery of property rights needed for construction and operation of highways. The timely delivery of right of

way to meet project schedules is a primary customer need for which right of way personnel are responsible.

3. Quantity. Right of way, as other functions in MDOT, has limited staff resources to carry out its mission. This requires that all employees work diligently and use efficient work practices. Work production levels are a valid evaluation factors in unison with applicable difficulty factors. Evaluation will consider complexity and level of difficulty of individual cases and projects, and it is not appropriate to measure individual production solely in terms of units delivered over a time period.

10-1.03 Objective

The objective of this chapter is to establish responsibility and define actions for continuously improving the performance in delivery of right of way services. Tasks to assure quality in each right of way function are set forth. Also, methods of quality control for oversight and improvement of the right of way function as a whole are identified.

10-1.04 Responsibilities

10-1.04(a) Right of Way Staff

Every employee has a responsibility for improving the quality of the process they are responsible to perform, and the timeliness, work quantity and level of service they provide. Following are important factors in carrying out this responsibility:

1. Identify improvement factors within personal control.
2. Contribute to joint efforts to improve quality delivery as a member of a project team, office or other group.
3. Discuss perceived obstacles to quality with management.
4. Accept opportunities to improve knowledge and skills through training, new assignments and accepting team leadership responsibilities.

Every staff member needs a clear understanding of job performance expectations in order to carry out the above responsibilities. This includes a current job description, job performance standards and a yearly evaluation of performance. If any of these elements are not provided, the individual should bring this to the attention of management.

10-1.04(b) Right of Way Policy Committee

The Right of Way Policy Committee will adopt and oversee performance of, the annual Right of Way Quality Plan. The Policy Committee, or a subcommittee thereof, will perform the following actions:

1. Assign responsibilities for coordinating performance of the Quality Control Plan; see Section 10-3.
2. Develop the Quality Plan.
3. Coordinate the Quality Plan with related Departmental program functions including Planning, Design, Environment, Legal, Maintenance and Construction.
4. Review and evaluate the annual Quality Plan Report.
5. Transmit the annual Quality Report to the Director, Project Development Bureau, with recommendations for actions, resources, training, etc., needed to improve quality in right of way procedures.

10-1.05 Quality Standards

MDOT right of way personnel work under mandated requirements derive from laws, regulations, agency policy, professional standards, Departmental goals and program management. These define mission, goals and basic work standards as described below:

1. Laws. The ***Maine Revised Statutes Annotated (MRSA)*** Title 23, and the ***Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)***, comprise the basic legislated authority that control right of way operations.
2. Regulations. The primary regulatory authority is the ***Code of Federal Regulations***. In particular 23 ***CFR*** 710, which includes highway right of way acquisition provisions; and 49 ***CFR*** 24, which comprises relocation program requirements.
3. Right of Way Policy. The primary policy document is the *Right of Way Manual*. Also important are policy interpretations and clarifications issued by memorandum, and policy guidance provided informally by program real estate services staff. Together, these items comprise the body of official guidance for performing the right of way function.
4. Position Standards. This includes position descriptions, professional designation criteria and contractor qualifications criteria. These set forth the body of knowledge, skills and abilities that are critical to effective performance of professionals in right of way functions.

5. Project Team Support. A primary responsibility of right of way personnel is to provide ongoing right of way advisory support to the project teams. This support is aimed at resolving unique or complex situations and problems that are not addressed in established policy. Team support also includes coordinating with other Departmental offices, such as the Office of Legal Services or the Environmental Office. It also includes communicating with other agencies such as FHWA on issues that involve funding or that cross agency jurisdictions.
6. Program Management. Includes administration of right of way support services, policy, information resources and equipment resources to efficiently carry out the mission of right of way. Program management includes maintaining the system of forms, records, inventories, electronic databases, contracting, personnel evaluation and assignment of support personnel.

The above quality standards support the performance of right of way functions. Quality assurance and control activities may result in modifying the above standards, except laws and regulations, so that they more effectively serve the mission of the right of way function in MDOT.

10-2 QUALITY ASSURANCE

10-2.01 Quality Assurance — General

Quality assurance is process improvement activity that is undertaken at the operational or project level. Each right of way staff member has an individual as well as a shared responsibility to actively contribute to quality improvement by performing tasks appropriate to their assignment and span of organizational influence. The concept of quality assurance is distinct from quality control, which is a program management responsibility described in Section 10-2.02.

The organizational placement of right of way within the Department relies on individual initiative and responsibility. Right of way is performed in context of multidisciplinary project teams. Personnel are directed by project team objectives and accomplish these objectives without on-site operational supervision. This structure draws on the skills of MDOTs highly experienced and motivated professional right of way staff. It enables efficient and on-time delivery of right of way while allowing a high degree of professional independence and decision authority. A major element in success is the self-assessment by operational staff of the quality of the process that they control.

Quality assurance activities will be undertaken in each right of way function on a continuing basis. The specific activities will vary with each discipline and will be scaled to accommodate the significance of the function in the current program, vulnerability of the function, the staff resources available to carry out quality assessment and the potential efficiencies to be gained. Each professional staff member in the right of way function will be assigned to perform one or more quality assurance tasks annually. The tasks, and the form and timing of reporting, will be developed and directed by the Right of Way Policy Committee.

10-2.02 Quality Assurance Tasks

Staff in each right of way discipline will assess the qualitative aspects of operations by performing tasks that are appropriate to the function being examined. The following listings of assessment tasks for each function are examples and not an exclusive list of assessment tasks.

10-2.02(a) Valuation

Quality assurance in the valuation function is a process of self-assessing performance and improving methods of producing appraisals and other valuation products. Quality assurance is a shared responsibility of all persons involved in the valuation function, including staff and contract appraisers, review appraisers and support services personnel.

Quality assurance in the appraisal function may include the following activities and tasks:

1. Develop effective coordination methods with Project Team members responsible for other project development activities.

2. Develop standards for timely assignment of Staff and Consultant Appraisers.
3. Appraisal staff self assess appraisal-related training needs.
4. Valuation staff identify critical path tasks involving appraisals to eliminate barriers to timely completion of these activities.
5. Evaluate performance of consultant appraisers after project assignments are completed concerning quality of documentation, analysis of data and timely delivery of appraisal products.
6. Perform effective evaluation and feedback of work of staff valuation personnel.
7. Review and refine appraisal contract procedures, including maintenance of the Appraiser Register. This includes culling the list periodically for appraisers that are no longer available for assignment.
8. Secure feedback from contract appraisers as to how the process involving them can be more effective and efficient (360-degree evaluation).

Quality assurance is a focus on achieving improvement in performing the appraisal function using the tools of policy, training, evaluation and communications. MDOT's continuing refinement of quality assurance includes the development of performance standards and evaluation methods to establish goals and measure progress in meeting goals.

10-2.02(b) Administrative Acquisition

Personnel assigned responsibility for administrative acquisition will actively examine the process to ensure that it is fulfilling its goals as set forth in Chapter 3, and identify opportunities for improvement.

The following items are examples of specific quality assurance activities that may be undertaken:

1. Conduct follow-up phone interviews with owners after construction is complete.
2. Identify training opportunities that would expand knowledge and skill in right of way acquisition.
3. Suggest refinement in acquisition practices that will make the process more efficient and effective.
4. Participate in informal workshops to exchange experiences and practices with other professionals involved in administrative acquisition.

5. Perform spot checks of closed files to identify successful and unsuccessful practices.
6. Conduct a letter survey of owners after acquisition.

Each involved staff member will, develop the quality assurance actions to be undertaken, in consultation with the Right of Way Support Manager, or as otherwise directed by the Right of Way Policy Committee.

10-2.02(c) Acquisition

Quality assurance in the acquisition function includes the policy guidance, program management tools and specific training necessary to ensure that responsible personnel are conducting right of way operations in an effective and efficient manner. The various activities used to test and evaluate program activities form the basic elements of the QA function.

Right of way personnel involved in the acquisition function share a responsibility to strive to improve operational quality. This can be advanced by such tasks as:

1. Follow up phone calls with owners after acquisition process is complete. The purpose will be to determine overall satisfaction with the process and secure suggestions that will be useful in future project acquisition activity.
2. Track and analyze completed negotiations records to identify practices that result in successful settlements. Patterns that indicate successful practices can be determined from examination of group of completed cases that may not be apparent in day-to-day work activity.
3. Sharing personal best practices with other staff. Experienced property acquisition staff members bring a wide range of skills, knowledge and techniques to the job that contributes to a higher rate of settlements. The knowledge and successful practices may be shared by such means as workshop sessions or one-on-one mentoring of less experienced acquisition staff.
4. Identify acquisition personnel training needs. Acquisition knowledge and skills are best identified by a formalized process because this is a human focused and subjective area of work. Training opportunities and resources should be prioritized based on objective discovery of employee training needs.

10-2.02(d) Property Management

The goal of quality assurance in property management is to secure and protect acquired property, generate income from sale or rental and achieve other objectives stated in Section 7-1.01. Responsibilities for quality assurance in Property Management include the following:

1. Regularly review policies. Revise as necessary to reflect best property management practices and more effective compliance with applicable law and regulations.
2. Provide advice and guidance to project and field staff that will enhance their knowledge and skill in performing the elements of property management for which they are responsible.
3. Provide specific advice and instruction to field personnel on standards of performance in areas such as building inspection and security, building disposals and property rental.
4. Formal and informal review of property management activities at the District and project level, including work by staff and by private contractors. The purpose of the reviews is to ensure compliance with laws, regulations, policies and professional standards and to identify opportunities to improve performance. The Property Manager under direction of the Right of Way Policy Committee will determine the form and frequency of reviews.

10-2.02(e) Relocation

Quality assurance in relocation is an inclusive process of evaluating performance and developing ways to continuously improve accomplishment of program goals. This is accomplished by performing spot checks that monitor the function as to the following performance elements.

1. Effective coordination with project team members responsible for other project development activities;
2. Timely and relevant assistance provided to displacees, with special focus on those having needs, including elderly and disabled;
3. Assessment of relocation related needs of relocation personnel;
4. Identification of critical path tasks involving relocation, including prioritizing so that more time is available to those having more serious relocation problems;
5. Evaluation of consultant staff that are employed by the Department to perform relocation services;
6. Participation in process and performance evaluations, including 360-degree evaluations; and
7. Participation in the continuous refinement of relocation practice and policy to reflect best practices in the field of work.

MDOT's continuing refining of quality assurance includes development of performance standards and evaluation methods to establish goals and measure progress in meeting goals.

10-2.02(f) Contracting Right of Way Services

Quality assurance includes activities that are incorporated into the contracting process for right of way services to measure progress, monitor progress performance and evaluate the performance of completed work. This includes the following activities:

1. Review and refine Requests for Qualifications (RFQ) and Requests for Proposals (RFP). The initial development of RFQs and RFPs should not be regarded as a final product. Each need for republication of these documents should be occasion for review and revision based on knowledge gained from past experience.
2. Develop more effective means to inform right of way service contractors of MDOT policy concerning functions provided under contract and provisions of law that MDOT applies specifically to MDOT right of way operations.
3. Develop improved ways to attract qualified professionals to submit qualifications and proposals for right of way work contracted by MDOT. In particular, develop ways to maximize participation by minorities and women.
4. Perform post project reviews and evaluation of provider's performance under every professional function that is contracted to private source.

10-2.02(g) Local Agency Acquisition

The following activities are appropriate quality advancement measures that can be undertaken by the municipality performing real property acquisition:

1. Perform a second-party internal review of all documents before they are delivered to the property owner. This includes appraisals, agreements, instruments of conveyance, offer letters, etc.
2. Provide relevant training to agency personnel who are engaged in specialized right of way activity (e.g., appraisal, negotiations, titles, relocation).
3. Perform quality spot checks of completed work concurrent with any ongoing project acquisition activity.
4. Perform peer reviews of work activity when there is more than 1 staff member involved in property acquisition for right of way.
5. Conduct phone or mail surveys of property owners following acquisition.

6. Develop internal procedures or policy to apply to specific recurring situations or circumstances in order to ensure consistency and equitable treatment.
7. Perform joint project reviews between MDOT and local agency management staff.

10-2.02(h) Mapping

The following tasks may be performed by staff to contribute to improving the quality of the MDOT mapping function:

1. Develop a peer review process of evaluating mapping work products with the aim of constructively identifying opportunities for improvement.
2. Perform formal evaluations of the quality and timeliness of consultant work products.
3. Perform 360-degree evaluations of specific mapping processes. This would include participation of all parties involved in the process.
4. Survey Departmental and external “customers” as to the effectiveness of specific Mapping and Research policies and practices.

10-3 QUALITY CONTROL

10-3.01 Quality Control — General

Quality control is the management process that conforms right of way operations to the Department's mission and goals in the most effective manner, and ensures that the right of way process complies with requirements of law, regulations and policy. Quality control involves evaluating and testing the activities in the right of way process, including the quality assurance process. Actions are taken to modify the elements in the process as necessary to better conform to Departmental mission and goals, as well as controlling legal, funding and regulatory authorities.

The MDOT concept of quality control affirms professionalism of right of way staff. Experienced professionals conduct day-to-day right of way operations within multidisciplinary project teams with minimal direct supervision. This structure allows decisions to be made at the level at which issues arise, in a more timely and responsive manner. The project team approach contrasts to the traditional organizational structure in which there is a vertical chain of supervision, with much decision authority held at an organizational level that is higher than where issues and problems arise.

10-3.02 Right of Way Quality Control Process

The Right of Way Policy Committee, or a subcommittee thereof directs the quality control process. The Committee assigns the development of the annual Quality Control Plan. The plan is a strategy for evaluating and improving elements in the right of way process on an annual cycle.

The Quality Control Plan includes the elements discussed in Sections 10-3.03 through 10-3.05.

10-3.03 Risk Assessment

Risk assessment is the evaluation of relative vulnerability of individual right of way programs and processes. The risk assessment will guide the development of process review activities.

Each manager responsible for a program or function performs a risk assessment for activities under that person's scope of responsibility. Professional and support staff in each unit should be involved either by consultation or direct participation.

Risk vulnerability is a broad scan based on professional judgment and experience of the manager performing the assessment. Each vulnerability factor is rated "low", "moderate" or "high." Explanations or comments on each individual ranking are not appropriate. However, comments summarizing the completed ranking and pointing out elements of high or low vulnerability should be provided.

The first step is to identify the vulnerability factors applicable to the function. Vulnerability factors may include such items as public exposure, impact on citizens or responsibility for public funds, or degree of independence from legal or regulatory controls. Identification of risk factors may be a one-time activity. However factors may be refined or modified to accommodate changes over time in unit responsibilities or the evolution of the function.

The second step in risk assessment is to rank every element in the function on a relative vulnerability scale, from low to high vulnerability. This will require subjective reasoning but will provide a relative degree and relative priority of risk within each unit.

The Right of Way Policy Committee, or a subcommittee thereof, will perform the risk assessment for the right of way function as a whole from reports of unit or program managers, as well as consultation with managers and “customers” of the process. This assessment will conclude in the identification of functions, programs, processes or projects that will be subject to process reviews.

10-3.04 Process Reviews

The process review is an in depth review of the need, opportunity and methods for improving performance and service in program areas identified as high priority in the risk assessment process. The topic of study should be narrowly defined so that the review can be performed with available staff.

The process reviews will be varied in their scope, methods and format. The depth and scope of the reviews, while as detailed as practical, will be scaled to available staff resources and the characteristics of the activity under review. The reviews may be performed with participation of persons outside of right of way personnel to gain perspective and expertise. For instance, the Right of Way Policy Committee may invite participation of civil rights or contracting division staff in a review of right of way contracting.

Following are several process review activities that may be performed:

1. Project Reviews. A recently completed single right of way project might be reviewed comprehensively with spot checks of appraisals, negotiations relocation, etc. The review might include participation by staff from other project teams, or be performed as a peer review.
2. Joint MDOT – FHWA Team Reviews. The MDOT – FHWA Partnering Agreement for Shared Oversight of Federal-Aid Projects provides a good structure for joint involvement and responsibility for quality control reviews. The oversight by direct involvement concept can be expressed through joint development of a process review plan or by joint involvement in executing reviews or by shared development of strategies for improving reviewed components of the right of way process.

3. Peer Consultations. Professionals in any field tend to respect each other's knowledge and experience, learn from each other, readily share helpful concepts and accept constructive advice for improvement. The Peer Consultation concept provides a structure for this to occur. Experienced staff is assigned to observe and consult with counterparts in other locations for a brief time (several days). It is important that this take place in a non-judgmental environment. A very general report will be made to management, with the primary value in peer discussions of best practices and experience sharing.
4. Temporary Job Exchange. Experienced persons in distinct but related jobs may trade positions for a period of time. For example, an experienced appraiser and review appraiser might occupy each other's positions for a 6-month period. They would then formally report to each other and to the Right of Way Policy Committee on the experience. Or, an appraiser could perform as relocation agent or negotiator. This may result in fresh insights and approaches to accomplishing jobs. Participants can gain a broader perspective on their job by having "walked in the other persons shoes" for a time. Personnel are cross-trained to other positions. Involved people become more aware of the effectiveness of their actions when they know that others will be working "their territory."
5. Right of Way Customer Surveys. Property owners and occupants of property acquired by MDOT comprise a set of customers that the Department is committed to provide quality services and benefits. A well-designed customer mail survey after the final official transaction with MDOT can provide feedback that will guide improvement in services on future projects.
6. Function Reviews. This is an in-depth examination of specific functions (e.g., appraisal, administrative settlements). It would include an in-depth review of work product (e.g., files, records, reports) evaluations, owner interviews and review of quality assurance products relating to the function. The objective would be to identify need and methods of achieving improvement in the operation of the function reviewed.

10-3.05 Evaluation

At the end of the yearly cycle of process review activities, the quality subcommittee or other party assigned quality control responsibility will summarize the findings and recommendation in a report to the Right of Way Policy Committee. The report will recommend any changes that are supported by the quality control activities. The recommendations may address the following:

1. Changes needed in right of way policy,
2. Training needs of personnel,
3. Staffing needs,

4. Equipment resources needed to perform right of way functions,
5. Right of way workload changes,
6. Coordination with other departmental functions,
7. Project team participation,
8. Coordination with local agencies,
9. Oversight of contracted services, and
10. Service to property owners.

10-3.06 Implementation of Quality Improvements

The Right of Way Policy Committee will prepare a yearly report to the Director, Project Development Bureau, summarizing specific actions to improve quality in right of way. The Policy Committee will determine the form and content of the report. It will include as a minimum a summary of the quality control activates including the risk assessment, process review and evaluation phases, as well as improvement actions of the Policy Committee.

The Implementation Report will address the need for resources, policy revisions or organizational changes that require approval or participation outside of the right of way function.